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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,482	12/15/2003	Kenneth R. Hyme	COEC / 001P2	3496
26875	7590	11/30/2005	EXAMINER	
WOOD, HERRON & EVANS, LLP 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			RAEVIS, ROBERT R	
			ART UNIT	PAPER NUMBER
			2856	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/736,482

Applicant(s)

HYME, KENNETH R.

Examiner

Robert R. Raevis

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6-18-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-7 are rejected under 35 U.S.C. 103(a) as obvious over Overdiek et al.

Overdiek et al teach (Figure 7) an apparatus for testing a relief valve, comprising: a body 60 constructed to withstand a high pressure, a cavity in the body and configured to enclose a pressure relieve valve 10, the cavity including a valve seat (seal 70) and aperture 68 through which the valve may be received into the cavity to contact the valve seat, pressure gauge 84 in communication with the cavity, fluid inlet 64, fluid outlet 66, and a press device 88 to sealably secure (see col. 11, lines 13-16) the valve within the cavity.

Overdiek does not state that the device 88 is a "closure couplable to said body...to sealably secure".

As to claims 1,4,5,6, Overdiek's valve 10 may be deemed to be "completely" enclosed in the cavity *as Overdiek distinguishes* (col. 5, lines 10-15) *the spool 9* (which is illustrated in Figure 7 as being outside of the cavity) *from the valve 10*. It would have been obvious to couple element 88/89 to the body to assure that force applied to the valve is relative to the body, to assure sealing. Assembly 88,89/9 may be deemed to be a closure as the applied pressure maintains a seal between the valve and cavity. Finally,

As to claims 2 and 7, note member 88.

As to claim 3, Overdiek is silent as to the size of the valves to be tested, suggestive that such design may be applied to any known size valve. In addition, high pressure relieve valves are known, and Overdiek teaches a system to test such valves.

Claims 1,2,4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Webster.

As to claims 1,4, please look at the figure, and see a body 10 including an upper cavity that encloses a pressure relieve valve 15, the cavity having a seat 16 and upper aperture through which the valve may be received into the cavity to contact the seat; a pressure gauge 36 in communication with the cavity; a fluid inlet 29,23; fluid outlet 14; and closure 21,22 to seal the cavity. Webster's element 15 is a valve.

As to claims 2,5, note the spring 19.

Claims 3,6,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webster.

As to claim 3, it would have been obvious to employ a strong body, as relieve valves are both used and tested at great pressures, requiring even greater pressure resistant bodies.

As to claim 6, note that Webster tests valve "at any particular adjustment" (lines 7-8, page 1), which is suggestive of adjusting the valves.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert R. Raevs whose telephone number is 571-272-2204. The examiner can normally be reached on Monday to Friday from 7am to 4pm.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ROUD

RAZU



Annotated Sheet Showing Changes

Approved
RR
11/27/05

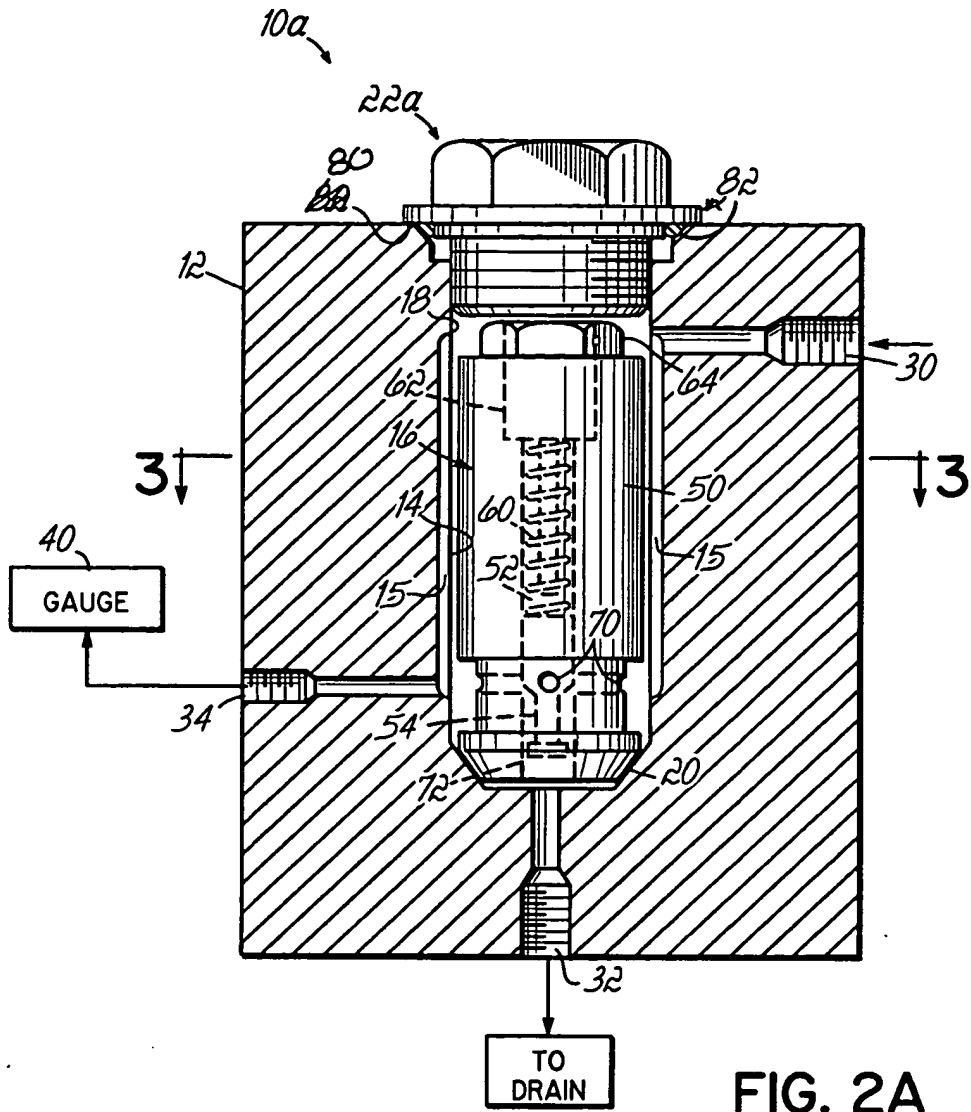


FIG. 2A

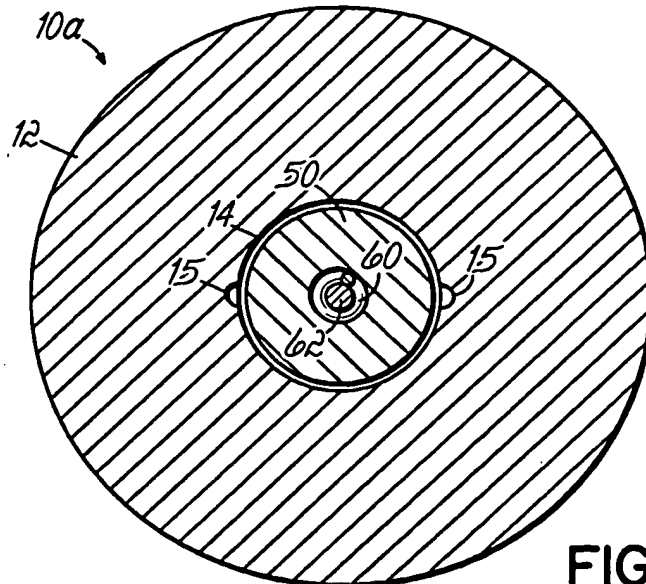


FIG. 3

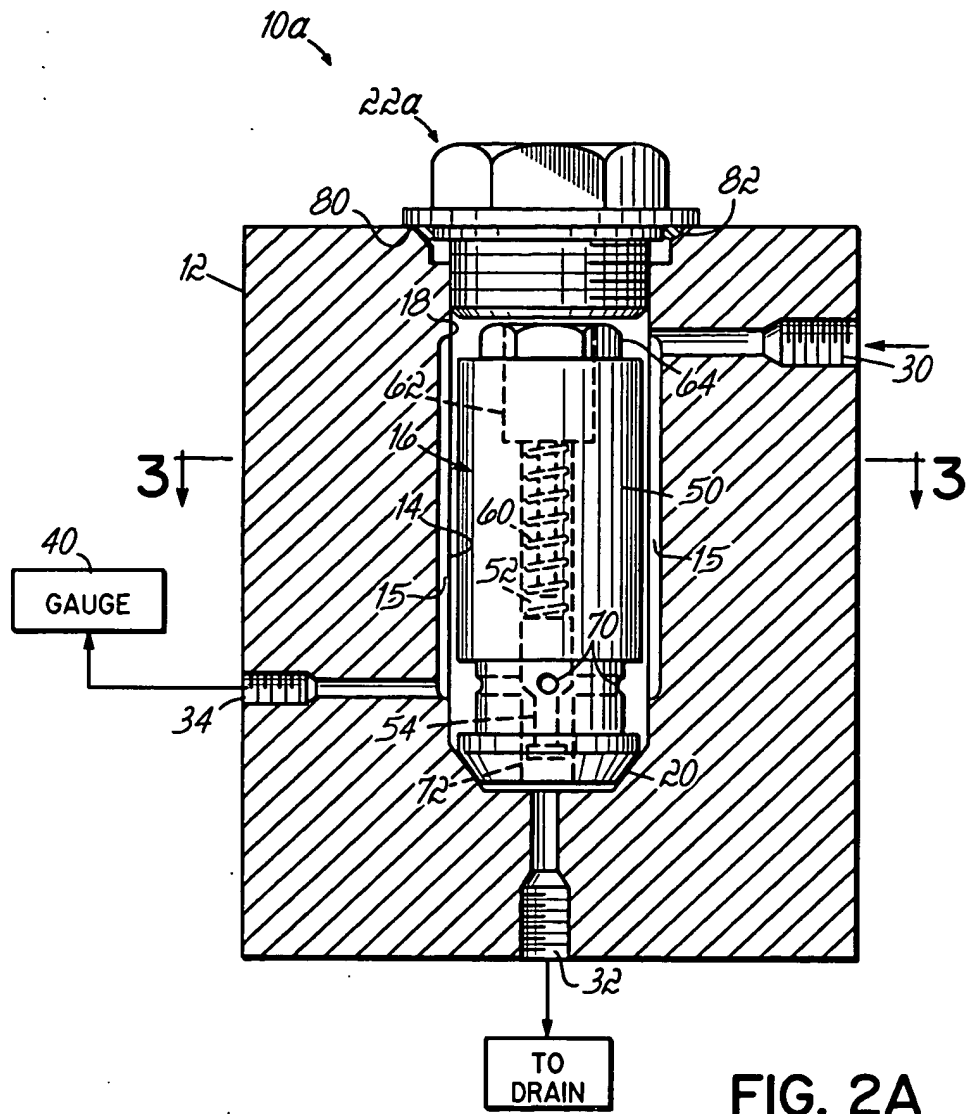


FIG. 2A

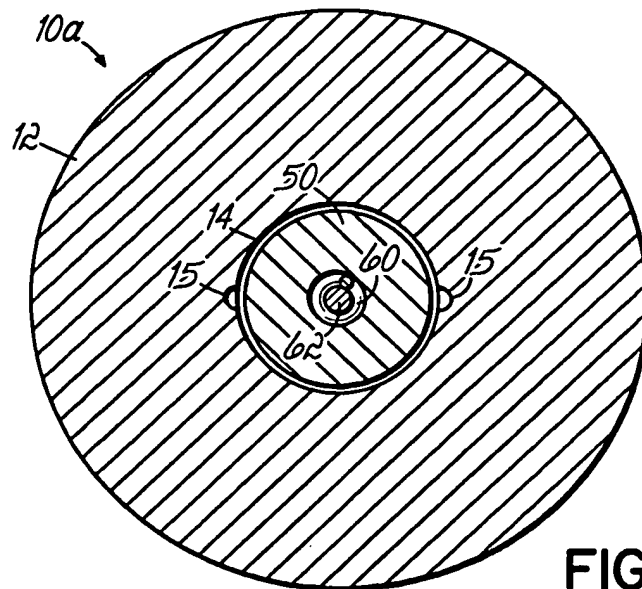


FIG. 3

Approved
R2
11/27/05